

AO91 (Rev. 11/91 ND/AL) Criminal Complaint

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA****CRIMINAL COMPLAINT**

UNITED STATES OF AMERICA

v.

CASE NUMBER: *MAG 06-162*

DERRICK DEWAYNE CURRY

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about July 12, 2006, and August 16, 2006, in Jefferson County, in the Northern District of Alabama, defendant did,

Knowingly, intentionally, and unlawfully distribute fifty (50) grams or more of a mixture and substance containing a detectable amount of cocaine base, more commonly referred to as "crack,"

in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A). I further state that I am a Special Agent with the Drug Enforcement Administration, and that this complaint is based on the following facts:

See Attached Affidavit

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No  
\_\_\_\_\_  
Signature of Complainant

Sworn to before me and subscribed in my presence,

*August 17, 2006*  
\_\_\_\_\_  
Date

at

Birmingham, Alabama  
\_\_\_\_\_  
City and StateJOHN E. OTT  
United States Magistrate Judge  
\_\_\_\_\_  
Name and Title of Judicial Officer  
\_\_\_\_\_  
Signature of Judicial Officer

## AFFIDAVIT

I, Donald Bennett, after being duly sworn in due form of law, depose and say that:

I am a Special Agent with the U.S. Drug Enforcement Administration. I have been an agent for approximately seven (7) years. Prior to being an agent I was a Deputy Sheriff with the Lexington County Sheriff's Department, South Carolina, for approximately nine (9) years, six of those years I was a narcotics detective. I am currently assigned to the DEA-Birmingham Resident Office, HIDTA Task Force. The information contained in this affidavit is based on my own personal investigation and observations as well as information supplied to me by other law enforcement officers and agents involved in the investigation.

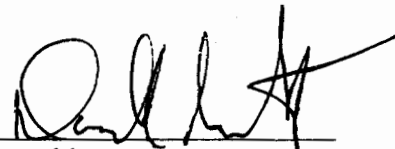
On June 15, 2006, SA Donald Bennett initiated a narcotics investigation on Derrick Dewayne CURRY, during which time information was conveyed to him that CURRY is a multi-ounce cocaine/crack cocaine distributor from Anniston, Alabama. During this investigation CURRY distributed several ounces of crack cocaine to Birmingham Police Officer Shelia Finney, who was working in an undercover capacity. The following events took place during this investigation:

On June 21, 2006, Undercover Officer Shelia Finney placed a recorded telephone call to CURRY to arrange the purchase of 2.25 ounces of crack cocaine for \$1,400.00 to be distributed on June 22, 2006.

On June 22, 2006, Undercover Officer Finney placed another recorded call to CURRY to confirm that CURRY would have the 2.25 ounces of crack cocaine to distribute and that they would meet at the Wal-Mart Supercenter located at 8551 Whitfield Avenue, Leeds, Alabama. On this date, CURRY and an unknown black male came to the Wal-Mart Supercenter in a 1999 black Ford F150 pick-up truck, bearing ALTAG# 11C947G that is registered to Schreka Dhanta Davis, 307 Glenn Addie Avenue, Anniston, Alabama. Upon CURRY's arrival to the Wal-Mart Supercenter he met with Undercover Officers Finney and Terri Jones and delivered approximately 47.5 grams of crack cocaine to Officer Finney. Officer Finney paid CURRY \$1,230.00 for the crack cocaine which was field tested and tested positive for cocaine.

On July 12, 2006, after several recorded phone calls between Officer Shelia Finney and Derrick Dewayne CURRY, they arranged to meet at the Wal-Mart Supercenter, 8551 Whitfield Avenue, Leeds, Alabama. On this date, CURRY and an unidentified black male arrived at the Wal-Mart Supercenter in a 1999 black Ford F150 pick-up truck. CURRY was observed meeting with Officer Finney for the purpose of distributing a 4 ½ ounces of crack cocaine. During the meeting CURRY distributed approximately 87.8 grams of crack cocaine to Officer Finney. Officer Finney paid CURRY \$2,000.00 dollars in exchange for the crack cocaine. The crack cocaine was field tested and tested positive for the presence of cocaine.

On August 16, 2006, after several recorded phone calls between Officer Shelia Finney and Derrick Dewayne CURRY, they arranged to meet at the Wal-Mart Supercenter, 8551 Whitfield Avenue, Leeds, Alabama for the purpose of CURRY distributing 4.5 ounces of crack cocaine to Officer Finney. On this date, instead of CURRY arriving at the Wal-Mart Supercenter, 8551 Whitfield Avenue, Leeds, Alabama, as previously discussed. CURRY sent an unidentified black male, later identified as Willie Edward ELSTON, Jr. to the Wal-Mart Supercenter to meet with Officer Finney. Law Enforcement officers/agents observed a 1999 black Ford F150 pick-up truck, the same vehicle used by CURRY in previous sales, arrived at the Wal-Mart Supercenter and driving around looking for Officer Finney's vehicle. ELSTON, who was observed driving the 1999 black Ford F150 pick-up truck at the Wal-Mart Supercenter parking lot, parked and was approached by agents and arrested. He was found to be in possession of approximately 111.5 grams of crack cocaine. ELSTON was arrested and transported to the Birmingham Resident Office (BRO) to be processed. The crack cocaine was field tested and tested positive for the presence of cocaine.

A handwritten signature in black ink, appearing to read 'Donald Bennett', written over a horizontal line.

Donald Bennett  
Drug Enforcement Administration